

FEDERAL REGISTER

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TITLE 6—AGRICULTURAL CREDIT

Chapter V—Production and Marketing Administration (Diversion Programs)

PART 506—DRIED FRUIT EXPORT PROGRAM

TERMS AND CONDITIONS OF DRIED FRUIT EXPORT PROGRAM

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AUTHORITY: §§ 506.1 to 506.13 issued under sec. 32, 49 Stat. 774, as amended, 7 U. S. C. 612c; sec. 112 (f), Pub. Law 472, 80th Cong., 62 Stat. 187.

§ 506.1 *General statement.* In order to encourage the exportation of dried prunes and raisins produced in the United States, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, and section 112 (f) of the Foreign Assistance Act of 1948, offers to make payments to exporters upon the terms and conditions stated herein. Information pertaining to the operation of this program and forms prescribed for use thereunder can be obtained from the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

§ 506.2 *Eligibility for payments by the Secretary.* (a) In order to become eligible for payments under this program an exporter must execute and file an application for participation in the program with the Director, Fruit and Vegetable Branch, and such application must be approved by the Director. If an exporter whose application has been so filed and approved makes a sale for export of a quantity of any one or more of the dried fruits indicated in paragraph (c) of this section to any approved country as designated in § 506.3,

such exporter shall be eligible to receive a payment from the Secretary on the dried fruit exported to such country in fulfillment of such sale, subject to the following additional terms and conditions:

(b) The dried fruit on which such payments will be made must have been produced, processed, and packed in the continental United States.

(c) The rate of payment shall be the lower of (1) the applicable rate shown in the following list or any amendment thereof which is in effect at the time the sales contract is made, or (2) 25 percent of the gross sales price (computed before deduction of the rate of payment to be made to the exporter under this offer) basis free along ship or free on board vessel, United States port, as determined by the Director, Fruit and Vegetable Branch. The net invoice price charged to the buyer must be established by deducting the rate of export payment under this offer from the gross sales price.

Commodity	Rate per pound net packed processed weight (cents)
Dried prunes:	
Size 100/120.....	1.2
Size 80/100.....	1.7
Size 60/80.....	1.8
Size 70/80.....	1.9
Size 60/70.....	2.0
Size 60/60.....	2.1
Size 40/60.....	2.2
Size 30/40.....	2.3
Size 20/30.....	2.4
Raisins:	
Thompson seedless, sun-dried.....	1.9
Muscat, sun-dried.....	1.9
Sultana, sun-dried.....	1.8
Golden Bleached Thompson, seedless.....	2.3

(d) Payments under this program will not be made on sales for export to any department, agency, or establishment of the United States Government administering any law providing for the furnishing of assistance or relief to foreign countries or to any private relief agency.

(e) No payment under this program will be made in connection with any sale for export unless the sales contract was entered into on or after the effective date hereof and prior to 12 o'clock midnight, eastern standard time, January 31, 1949, and the dried fruit therein sold was exported in fulfillment of such sale on or after the date of such contract and prior to 12 o'clock midnight, eastern

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standard time, April 30, 1949: *Provided, however* That upon request by the exporter indicating his reasons therefor, the Director, Fruit and Vegetable Branch, may, if he deems it desirable, grant an extension of time for exporting such dried fruit.

(f) Each sales contract must show the date of sale, the gross sales price, the net invoice price, the basis of such prices, and the quantity (net packed processed weight) of each kind of dried fruit sold with respect to which a separate maximum rate of payment is provided in paragraph (c) of this section, and the country of destination. The contract must not contain any condition upon which the foreign purchaser may cancel the sale of any of such dried fruit.

(g) Dried fruit exported under this program must be of a grade suitable for export as indicated by a certificate, or certificates, of inspection of the dried fruit issued by an inspector authorized to perform such inspection by the Dried Fruit Association of California, or such other agency as the Director, Fruit and Vegetable Branch, may designate. Any authorized employee of the United States Department of Agriculture may examine during regular business hours any portion of the product to be exported under this program.

(h) In the event of reentry (in the form of dried fruit including damaged dried fruit or salvage therefrom) into the United States or its territories or possessions of any quantity of dried fruit upon which payment has been made to an exporter under this program, such exporter shall refund to the Secretary the payment made with respect to such quantity.

§ 506.3 *Approved countries.* An approved country shall be any one of the following countries, not including any dependent area under the administration of any such country:

Austria.	Iceland.	Portugal.
Belgium.	Italy.	Sweden.
Denmark.	Luxembourg.	Switzerland.
Elre.	Netherlands.	United Kingdom.
France.	Norway.	

§ 506.4 *Certification of prices paid to producers.* No payment will be made under this program unless the exporter supports the claim for such payment by furnishing to the Director, Fruit and Vegetable Branch, a certification, executed by the packer of the dried fruit so exported, stating the prices at which such fruit was acquired in natural condition form from producers. Such prices must be not less than \$130 per ton for sun-dried Thompson Seedless or Muscat

raisins, \$125 per ton for sun-dried Sultana raisins, \$165 per ton for Golden Bleached Thompson Seedless raisins, seven cents per pound basis price for dried prunes of the sizes needed to process and pack sizes 20/30 to 90/100, inclusive, or five and three-fourths cents per pound basis for dried prunes of the sizes needed to process and pack the 100/120 size, or such other applicable price to producers as may have been announced by Commodity Credit Corporation in connection with a dried fruit purchase program and which was in effect at the time such dried prunes or raisins were acquired from such producers. The exporter shall furnish with each such certification a list showing the names and addresses of all producers from whom such natural condition fruit was acquired.

§ 506.5 *Reports.* Each exporter whose application to participate in this program has been approved shall file with the Director, Fruit and Vegetable Branch, a report, in duplicate, covering the first 15 days of each calendar month and a separate report, in duplicate, covering the remainder of each such month, showing, with respect to all sales made pursuant to this program during the period covered by each such report, (a) the quantity of each kind of dried fruit sold for export, with respect to which a separate rate is provided in paragraph (c) of § 506.2, (b) the gross sales price free along ship or free on board vessel, United States port, (c) the country of destination of such fruit, and (d) the total quantity of each kind of dried fruit expected to be sold for export under this program during the next succeeding report period. Each such report shall be made by telegram filed or letter postmarked not later than the fifth day following the end of the report period to which it refers. If filed by telegram, a confirmation copy shall be forwarded immediately by mail. Failure of any exporter to file such report for any period shall be deemed to indicate that such exporter made no sales for export under this program during such period. In the discretion of the Director, Fruit and Vegetable Branch, payment hereunder may be refused in connection with any sale not reported in accordance with this section. The exporter shall furnish such further information and reports as the Director, Fruit and Vegetable Branch, may request, subject to the approval of the Bureau of Budget.

§ 506.6 *Claims supported by proof of exportation.* The exporter shall file claim for payment hereunder with the Director, Fruit and Vegetable Branch, not later than May 31, 1949: *Provided*, That, upon request of the exporter indicating his reasons therefor, the Director, Fruit and Vegetable Branch, may, if he deems it desirable, grant an extension of time for such filing. Each claim for payment shall be filed in an original and three copies on voucher form FDA 564 and shall be supported by (a) two certified copies of the sales contract, (b) two copies of the ocean on board bill of lading, under which the dried fruit was exported, signed by an agent of the steam-

ship company, (c) the original and one copy of the inspection certificate required in paragraph (g) of § 506.2, (d) the original and one copy of the certification of prices paid to producers and the list required by § 506.4, and (e) such other documents as may be required by the Director, Fruit and Vegetable Branch, evidencing sale and exportation of the dried fruit on which payment is claimed. Each ocean on board bill of lading must show the number of boxes, markings, and net weight of each kind of dried fruit, the date and place of loading on vessel, the name of the vessel, the destination of the dried fruit, and the name and address of both the person exporting the dried fruit and the person to whom it is shipped. If the shipper or consignor named in such bill of lading is other than the exporter (seller) named in the sales contract, such exporter shall furnish with his claim a waiver by such shipper or consignor, in favor of such exporter, of any right to claim payment under this program for exportation of the quantity of dried fruit covered by such bill of lading.

§ 506.7 *Records and accounts.* Each exporter shall maintain accurate records showing purchases, sales, and deliveries of dried fruit exported or to be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for two years after the effective date of this offer.

§ 506.8 *Set-off.* The Secretary may set off, against any amount owed to any exporter hereunder, any amount owed by such exporter to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 506.9 *Assignments.* No exporter shall, without the written consent of the Director, Fruit and Vegetable Branch, assign any right of the exporter against the Secretary hereunder.

§ 506.10 *Good faith.* If the Director, Fruit and Vegetable Branch, determines that any exporter has not acted in good faith in connection with any transaction hereunder or has failed to discharge fully any obligation assumed by him hereunder, such exporter may be denied the right to continue participating in this program or the right to receive payments hereunder in connection with any sales previously made under this program, or both.

§ 506.11 *Amendment and termination.* This offer may be amended or terminated by the Secretary at any time upon not less than 10 days notice by public announcement of such amendment or termination. Notice of such amendment or termination will be transmitted promptly to every exporter participating in the program as reflected by the records of the Fruit and Vegetable Branch. Any such amendment or termination shall not be applicable to

sales for export (which otherwise comply with the terms of this offer) made before the effective time and date of such amendment or termination.

§ 506.12 *Persons not eligible.* No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of any payment made under this offer or to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 506.13 *Definitions.* As used in this part, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any authorized representative of the Secretary.

(b) "Director, Fruit and Vegetable Branch" means the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, or any authorized representative of the Secretary within such Branch to whom the Director has subdelegated authority to perform the functions herein delegated to him.

(c) "Exporter" means any individual, corporation, partnership, association, or other business entity engaged in the business of selling for export dried fruit produced, processed, and packed in the continental United States.

(d) "Sale" or "sales contract" includes a contract to sell, and the contract shall consist of a written instrument signed by buyer and seller or a written offer and acceptance evidenced by an exchange of telegrams, cablegrams, or letters.

(e) "Date of sale" means the date of signing by both buyer and seller of a written contract or the date of written acceptance of a written offer or counter-offer to buy or sell.

(f) "Basis price" means the price for dried prunes averaging 80, by count, per pound avoirdupois. The price for any lot of dried prunes averaging more or less than such 80 count shall be determined, respectively, by deducting from or adding to such basis price one dollar per ton for each number by which such lot averages more or less than such 80 count.

(g) "Public announcement" means the issuance of a press release or the publication of a notice in the *FEDERAL REGISTER*.

Effective date. This offer shall be effective on November 26, 1948.

Notes: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated this 26th day of November 1948.

[S.E.] RALPH S. TRIGG,
Authorized Representative of
the Secretary of Agriculture.

[F. R. Dec. 48-10459; Filed, Nov. 30, 1948; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 729—PEANUTS

NATIONAL MARKETING QUOTA FOR THE 1949 CROP OF PEANUTS

§ 729.1 *Basis and purpose.* The Agricultural Adjustment Act of 1938, as amended, provides that between July 1 and December 1 of each calendar year the Secretary of Agriculture shall proclaim a national marketing quota for peanuts for the crop produced in the next succeeding calendar year. Section 729.2 hereof establishes and announces the national marketing quota for the 1949 crop of peanuts. The determinations contained in § 729.2 are based on the latest available statistics of the Federal Government, and the proclamation is made after due consideration of recommendations submitted in response to public notice of proposed action (13 F. R. 6519)

§ 729.2 *Proclamation and determinations with respect to the national marketing quota, normal yield per acre and national acreage allotment for peanuts for the crop produced in the calendar year 1949—(a) National marketing quota.* The amount of the national marketing quota for peanuts for the crop produced in the calendar year 1949 is 1,700,000,000 pounds.

(b) *Normal yield per acre.* The normal yield per acre of peanuts for the United States is 651 pounds.

(c) *National acreage allotment.* The national acreage allotment for peanuts for the crop produced in the calendar year 1949 is 2,611,367 acres.

(55 Stat. 88, 89; 7 U. S. C. 1358)

Issued at Washington, D. C., this 29th day of November 1948.

Witness my hand and seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary.

[F. R. Doc. 48-10508; Filed, Nov. 30, 1948; 9:24 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 222—CONSUMER INSTALLMENT CREDIT

INTERPRETATIONS

The following interpretations under this part relating to Consumer Installment Credit have been issued by the Board of Governors of the Federal Reserve System:

§ 222.107 *No registration if credits exempt.* A person need not register as required under § 222.2 (b) if every extension of consumer installment credit made by him is exempt from the provisions of Part 222 by § 222.7.

§ 222.108 *Table model roasters and cookers.* The classification "Cooking stoves and ranges, designed for household use" listed in Group B of Part 1 of § 222.9 includes automatic electric table model roasters and cookers if the cash price as defined in § 222.8 (h) (7) is \$50.00 or more.

§ 222.109 *Articles not designed exclusively for commercial use.* Where the specifications of a "Commercial Model" automatic washer, as set forth by the distributor, did not indicate that the washer was clearly designed for commercial use only, or that it was of a design not readily usable in households, the Board expressed the view that the washer was a "listed article" under Group B of § 222.9, notwithstanding the equipment of the washer with certain "heavy duty" features and a coin-operating device. The same view was applied in the case of an automatic record player designed to play up to 200 records in a vertical position without repeating or changing and incorporating other unusual technical features, since there appeared to be no basic distinction between such a record player and other high-priced record players commonly used in homes, and the manufacturer's advertisement described its use in the home as well as in factories, clubs, department stores, etc. In both of these cases, the controlling consideration was that the article involved was not designed exclusively for commercial use but was of a type readily adaptable for household use.

§ 222.110 *Automobile demonstrators.* Questions have been raised concerning the exemption under § 222.7 (b) of credit extended to an automobile salesman to finance the purchase of a new automobile for use principally as a demonstrator. The questions relate to the circumstances under which the exemption is applicable.

The Board's view is that (a) the salesman must be a bona fide salesman of new automobiles of the same make and year as the automobile purchased as a demonstrator; the exemption is not applicable to salesmen whose sales are confined to used cars nor to persons who are not employed principally as salesmen, such as mechanics, parts clerks, office workers, etc., (b) the phrase "used by him principally as a demonstrator" is not intended to require that the automobile be used principally for the transportation of his prospective purchasers, since the phrase may also include the salesman's use of the automobile for other bona fide demonstration practices.

From a practical administrative standpoint, although not specifically required by Part 222, it would be desirable in all such cases for the Registrant, whether the dealer or a financing institution, to have in his or its records a statement or other record of the facts establishing the exemption of any such paper.

§ 222.111 *Final instalment less than minimum.* The Board of Governors has received an inquiry as to whether an instalment credit which qualifies for a maturity of over 15 months under Part 2

of § 222.9 may have a final monthly instalment of less than \$70.

In a ruling, published at 13 F. R. 5629, concerning Part 2 of § 222.9, and particularly the inclusion of interest or finance charge in determining the application of the \$70 monthly payment requirement, there were certain illustrative examples using equal monthly payments and explaining the use of payment charts containing precalculated equal monthly payments. It is the Board's view, however, that the \$70 monthly payment requirement in Part 2 of § 222.9 does not prevent the last instalment payment of a regulated obligation from being less than \$70. Thus, if the amount of the total obligation, including interest or finance charge, should be \$1,220.80, repayment could be arranged so that there would be 17 monthly payments of \$70 each, and an eighteenth or final instalment of \$30.80, rather than 17 monthly payments of \$71.81 plus.

Similarly, the \$5 monthly payment requirements of § 222.3 (b) § 222.4 (c) and § 222.5 (a) do not prevent the last instalment payment of a regulated obligation from being less than \$5.

§ 222.112 *Rental-purchase arrangements.* In order to increase the sale of a certain type of listed article, a company proposes to rent and deliver to interested persons for use in their homes, such articles for one month at a charge of \$5 under a written rental agreement which contains no obligation or option for the purchase of the article. However, before the expiration of the 30-day period, either there would be a sale of an article of the type delivered, or the article that was delivered would be returned to, and reconditioned by, the company for sale elsewhere. In the event of a completed sale, the lessee-purchaser could either retain the article previously delivered to him or receive a new article. If the former should occur, the regular retail purchase price would be reduced by \$5; but if the latter should occur, no such reduction in price would be made. The reduced purchase price or the regular purchase price, as the case may be, would be treated as the selling price subject to the down payment, maturity and monthly payment provisions of Part 222.

The absence from the written rental agreement of an obligation or option to buy would not be deemed to be of controlling significance in circumstances such as these. Viewed in their entirety, the transactions in question look toward the completion of a sale and, at the outset, should comply with Part 222 either as an ordinary extension of instalment credit or as a delivery in anticipation of an instalment sale under § 222.6 (g).

In this connection it is to be noted that the amendment to Part 222, effective November 1, 1948 (13 F. R. 6476) amended § 222.6 (g) thereof to provide that, if certain specified conditions are followed, the seller may allow a trial period of not more than 10 days without previously obtaining the required deposit or the down payment necessary in an instalment sale. However, the company's proposed plan would have to be modified in order to

qualify for the benefits of the amendment.

§ 222.113 *Curtail and renewal of pre-September 20 credits.* An inquiry was received by the Board as to whether curtail and renewal effected subsequent to September 20, 1948, pursuant to an agreement or understanding therefor at the time of an extension of credit which appears on its face to be an extension of a single payment credit made prior to September 20, would constitute a "renewal" or "revision" within the meaning of § 222.5 (a).

The original extension of credit, including the commitment for curtail and renewal, would constitute an instalment loan, if made today, within the meaning of the summary interpretation entitled "Single payment or instalment credit" appearing at 13 F. R. 5639. This being the case, the obligation, in its entirety, is substantially the same as the more usual instalment payment obligation. In either case, the fact that payment or liquidation arrangements occur after September 20 does not affect the exemption of the transaction from Part 222 where the original contract was made and the funds were disbursed or credited to the borrower before September 20. The Board stated, therefore, that the curtail and renewal in question would not constitute a "renewal" or "revision" within the meaning of § 222.5 (a) even though payment or liquidation in such manner would involve the substitution of new or different paper for the original evidence of debt. Section 222.5 (a) would become effective only if the original loan contract, including the agreement or understanding for curtail and renewal, were the subject of a "renewal" or "revision".

In conclusion, the Board stated that the foregoing would not seem to find widespread application, however, because of the necessary underlying factual situation. For example, it would seem especially unusual for a balloon note to be subject to an agreement or understanding of the kind in question which would be of sufficient definiteness to justify the view that subsequent refinancing or revision would be a part of the original loan contract. The solution in each case must depend on the particular facts and circumstances involved.

§ 222.114 *Refinancing of credit originally exempt.* The Board received a question concerning the applicability of Part 222 to the instalment refinancing by a finance company, on terms more liberal than provided by Part 222, of the balloon balance of an instalment note made payable to the vendor by the purchaser of an unlisted article and endorsed by the vendor to the finance company.

Under summary interpretation entitled "Obligation payable to seller or financial institution" appearing at 13 F. R. 5639, the original sale and financing would be of the type exempted as an instalment sale of an unlisted article. However, the Board expressed the view that the refinancing by the finance company would constitute a new extension of credit in the form of an unclassified instalment loan subject to § 222.4 (b) unless, for example, such refinancing was effected subsequent to September 20,

1948, pursuant to an agreement or understanding therefor at the time of the original extension of credit before that date, and the agreement or understanding was binding on the subsequent holder as well as the original payee.

(Sec. 5 (b) 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179, and secs. 301 and 302, 55 Stat. 839, 840; 12 U. S. C. 95 (a) and Supp., 50 U. S. C. App. 616, 617; E. O. 8843, Aug. 9, 1941, and Pub. Law 805, 80th Cong.)

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 48-10422; Filed, Nov. 30, 1948;
8:40 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 15—CEREAL FLOURS AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

WHEAT FLOUR AND RELATED PRODUCTS Correction

In Federal Register Document 48-10330, appearing at page 6969 of the issue for Saturday, November 27, 1948, the following corrections should be made:

1. In the third line of paragraph 5 of the Findings, "agaling" should read "aging".

2. In paragraph (b) of § 15.00 the first sentence should read: "When any optional bleaching ingredient is used, the label shall bear the word 'Bleached.'"

3. In the fifteenth line of § 15.80 (c) (2) "on hand" should read "one hand"

TITLE 22—FOREIGN RELATIONS

Chapter III—Economic Cooperation Administration

[ECA Reg. 5, as Amended Dec. 1, 1948]

PART 1116—OCEAN FREIGHT SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

PREAMBLE: The provisions of this part have been approved by the Office of International Trade of the Department of Commerce. ECA Reg. 5 is amended in its entirety to read as follows:

- Sec.
1116.1 Scope of regulation.
1116.2 Persons within scope of regulation.
1116.3 Manner of payment of charges.
1116.4 Definition of relief package.
1116.5 Limitation of contents of package.
1116.6 Saving clause.

AUTHORITY: §§ 1116.1 to 1116.6 issued under sec. 117 (c), Pub. Law 472, 80th Cong.

§ 1116.1 *Scope of regulation.* This part provides the rules under which the Administrator for Economic Cooperation will make reimbursement for ocean freight charges from a United States port to designated foreign ports of entry on relief packages originating in the United States, its territories and insular possessions, and consigned to individuals residing in Austria, Belgium, China, France, the United Kingdom, Greece, Italy, Lux-

embourg, the Netherlands, or the zones of Germany and Trieste under occupation by the United States, the United Kingdom, or France, which relief packages are assembled and shipped by persons in the manner hereinafter provided.

§ 1116.2 *Persons within scope of regulation.* Any person, including individuals, partnerships, corporations or associations, shall be entitled to make shipments under the provisions of this part provided such person has complied with the requirements for export established by the Office of International Trade, Department of Commerce, covering such shipments, including the filing with the Collector of Customs of a fourth copy of the export declaration with a list attached thereto of the names and addresses of the donors in the United States and the individual donees abroad who are to receive the parcels included in the shipment, and provided such person assembles and ships said packages under a general ocean bill of lading for ocean freight shipment.

§ 1116.3 *Manner of payment of charges.* Persons within the scope of this part making shipments of relief packages may make application to the Administrator (800 Connecticut Avenue, N. W., Washington, D. C.) within 30 days of each shipment for payment of ocean freight charges. Such application shall be accompanied by a receipted invoice for ocean freight charges, supported by ocean bill of lading bearing the number of the export declaration and of the export license number or symbol under which such shipment was made. In addition, where the shipment is being made by an agent on behalf of another person, the agent must submit an affidavit in form satisfactory to the Administrator certifying that no part of the freight charges for which he seeks payment, as provided in section 117 (c) of the Foreign Assistance Act of 1948, were passed on to the person or persons donating such packages, and that the price charged the donor of each package for the articles contained therein does not exceed the current retail market price of such contents.

The rates which the Administrator will pay, but which in no event shall exceed the actual amount paid for ocean freight, will be based on the following schedules:

Country	Rate per pound	
	Packages containing any food	Packages not containing any food
France.....	Cents 1.25	Cents 2
Belgium.....	1.25	2
Netherlands.....	1.25	2
Luxembourg.....	1.25	2
United Kingdom.....	1.45	2
Germany (qualifying zones).....	1.6	2.5
Italy.....	2	2
Greece.....	2	2
Trieste.....	2	2
China (from East Coast ports).....	3	4.5
China (from West Coast ports).....	2.2	4.4

Provided, however, That where shipments are made by individuals to individuals reimbursement will be made to the individual sender in the amount of

the actual cost of ocean freight paid for transporting the packages from end of ship's tackle at point of loading to end of ship's tackle at port of discharge.

§ 1116.4 *Definition of relief package.* A "relief package" is defined as a gift parcel, containing articles permitted by § 1116.5 to be sent free of cost to the person receiving it and for the personal use of himself or his immediate family, and shall be identified as a gift package by the conspicuous endorsement on the addressee side of the package of the words "USA Gift Parcel."

§ 1116.5 *Limitation of contents of relief package.* The contents of a relief package shall be limited to:

(a) Nonperishable food; clothing and clothesmaking materials; shoes and shoe-making materials; medical and health supplies; and household supplies and utensils.

(b) Relief packages shipped hereunder are subject to regulations prescribed by the Office of International Trade of the Department of Commerce, but in no event shall exceed 44 pounds gross weight.

§ 1116.6 *Saving clause.* The Administrator for Economic Cooperation may waive, withdraw or amend at any time or from time to time any or all of the provisions of the regulations in this part.

HOWARD BRUCE,
Acting Administrator for
Economic Cooperation.

[F. R. Doc. 48-10438; Filed, Nov. 30, 1948;
8:49 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 502—RELIEF ASSISTANCE

OCEAN FREIGHT SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

The following new § 502.12, setting forth rules under which the Department of the Army will make reimbursement on ocean freight shipments of individual relief packages to Japan, Korea or the Ryukyus Islands, is added to Part 502. The provisions of § 502.12 have been approved by the Office of International Trade of the Department of Commerce.

§ 502.12 *Ocean freight shipments of individual relief packages—(a) Scope of section.* Provided herein are the rules under which the Department of the Army will make reimbursement for ocean freight charges from a United States port to designated foreign ports of entry on relief packages originating in the United States, its territories and insular possessions, and consigned to individuals residing in Japan, Korea or the Ryukyus Islands, which relief packages are assembled and shipped by persons in the manner hereinafter provided.

(b) *Persons within scope of section.* Any person, including individuals, partnerships, corporations or associations, shall be entitled to make shipments un-

der the provisions of this section, provided such person has complied with the requirements for export as established by the Office of International Trade, Department of Commerce, covering such shipments, including the filing with the Collector of Customs of a fourth copy of the export declaration with a list attached thereto of the names and addresses of the donors in the United States and the individual donees abroad who are to receive the parcels included in the shipment, and provided such person assembles and ships said packages under a general ocean bill of lading for ocean freight shipment.

(c) *Manner of payment of charges.* Persons within the scope of this section making shipments of relief packages may make application to the Chief, Fiscal and Statistical Group, Office of the Food Administrator for Occupied Areas, Department of the Army, Washington 25, D. C., within 30 days of each shipment for payment of ocean freight charges. Such application shall be accompanied by a receipted invoice for ocean freight charges, supported by ocean bill of lading bearing the number of the export declaration and the export license number or symbol under which such shipment was made. In addition, where the shipment is being made by an agent on behalf of another person, the agent must submit an affidavit in form satisfactory to the Department certifying that no part of the freight charges for which he seeks payment, as provided in the section applicable to the Department of the Army under Title I of the Foreign Aid Appropriation Act, 1949 (P. L. 793, 80th Congress) was passed on to the person or persons donating such packages, and that the price charged the donor of each package for the articles contained therein does not exceed the current retail market price of such contents.

The rates which the Department of the Army will pay, but which in no event shall exceed the actual amount paid for ocean freight, will be based on the following schedules:

Country	Rate per pound	
	Packages containing any food	Packages not containing any food
From West Coast ports:		
Japan.....	0.0190	0.0362
Korea.....	.0219	.0419
Ryukyus.....	.0197	.0377
From East Coast ports:		
Japan.....	.0309	.0467
Korea.....	.0342	.0534
Ryukyus.....	.0344	.0536

Provided, however That where shipments are made by individuals to individuals, reimbursement will be made to the individual sender in the amount of the actual cost of ocean freight paid for transporting the packages from end of ship's tackle at point of loading to end of ship's tackle at port of discharge.

(d) *Definition of relief package.* A "relief package" is defined as a gift parcel, containing articles permitted by paragraph (e) of this section, to be sent free of cost to the person receiving it and for the personal use of himself or his

immediate family, and shall be identified as a gift package by the conspicuous endorsement on the addressee side of the package of the words "USA Gift Parcel."

(e) *Limitation of contents of relief package.* The contents of a relief package shall be limited to:

(1) Nonperishable food; clothing and clothes-making materials; shoes and shoe-making materials; medical and health supplies; and household supplies and utensils.

(2) Relief packages shipped hereunder are subject to regulations prescribed by the Office of International Trade of the Department of Commerce, but in no event shall exceed 44 pounds gross weight.

(f) *Saving clause.* The Secretary of the Army may waive, withdraw or amend at any time or from time to time any or all of the provisions of this section.

[Regs. Nov. 24, 1948, SAOSA] (Pub. Law 793, 80th Cong.)

Effective date. This section is effective as of December 1, 1948.

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-10465; Filed, Nov. 30, 1948;
8:51 a. m.]

Subchapter F—Personnel

PART 571—RECRUITING FOR THE REGULAR ARMY AND AIR FORCE

MISCELLANEOUS AMENDMENTS

Sections 571.1 (e), 571.1 (f) (18) and 571.2 (a) (1) are amended, and §§ 571.1 (f) (25) and 571.2 (a) (3) are added, as follows:

§ 571.1 *Qualifications for enlistment.*

(e) *Physical qualifications.* Applicants for enlistment must meet fully the physical qualifications for acceptance as prescribed in Army regulations, except as provided in subparagraph (1) of this paragraph.

(1) *Men enlisted from civilian life.* Commanding generals of armies (ZI) or oversea commands may waive physical defects of applicants with prior military service enlisting from civilian life down to the minimum standards for acceptance. In addition, commanding generals of armies or oversea commands may grant waivers for those applicants for enlistment without prior military service, who do not meet the minimum weight requirements for acceptance. Commanding generals of armies or oversea commands will not grant waivers for physical defects (other than weight) of applicants without prior military service or for applicants last discharged by reason of certificate of disability for discharge. Waivers for physical defects other than those specifically provided in this paragraph will be granted only by The Adjutant General for Army applicants and by the Chief of Staff, United States Air Force, for Air Force applicants. All requests for waivers of physical defects will be accompanied by report of enlistment physical examination

and profile recorded on an enlistment record.

(f) *Classes ineligible for enlistment.*

(18) Men discharged from the Army, Navy, Air Force, Coast Guard, or Marine Corps whose total time lost under AW 107 (or time lost under similar circumstances in the Navy, Coast Guard, or Marine Corps) was 60 days or more for Army applicants or 30 days or more for Air Force applicants, during their last enlistment or period of active service. Waivers for Air Force enlistees will be requested only for those men who are currently serving in the Air Force and who apply for re-enlistment within 20 days from date of last discharge. Waivers for these Air Force applicants must be recommended by their commanding officer at least 60 days prior to expiration of current enlistment.

(25) Selective Service registrants who have received orders from their local board to report for pre-induction physical and mental examinations.

§ 571.2 *Period and grades*—(a) *Period of enlistment.* (1) Enlistments are authorized in the Regular Army for 2, 3, 4, 5, or 6 years, and in the Air Force for 3, 4, 5, or 6 years, at the option of the individual enlisting. Men who enlist in the Regular Army for 2 years incur the same Reserve service obligation as men enlisting for 21 months. ("Enlistments" as used in this subparagraph will mean enlistment in the Regular Army or Air Force of any man who has not heretofore served in the Regular Army or Air Force.)

(3) Enlistments are authorized in the Regular Army for 21 months for men who are 19 years of age but who have not reached their twenty-sixth birthday, and who have not heretofore served for more than 1 year in the armed forces prior to June 24, 1948, or more than 90 days between December 7, 1941, and September 12, 1945, or 3 years or more at any time. (Proof of age by presentation of birth certificate of statement from State Registrar of Vital Statistics or other similar State official is mandatory for all applicants.) All enlistments under this option will be made for Regular Army Unassigned. Enlistees will incur the following service obligation:

(i) They will be required to complete 21 months' active service.

(ii) Thereafter, if qualified, they will be transferred to a Reserve component and required to serve therein for a period of 5 years after such transfer unless discharged earlier: *Provided*, That, if they serve satisfactorily—

(a) On active duty in the Army under a voluntary extension of one of more years, or

(b) In an organized unit of a Reserve component for a period of at least 36 consecutive months,

they will be relieved from further liability to serve in any Reserve component except in time of war or national emergency declared by Congress.

[DA Cir. 324, 1948] (41 Stat. 765; 10 U. S. C. 42)

[SEAL] EDWARD F. WITSELL,
Major General
The Adjutant General.

[F. R. Doc. 48-10437; Filed, Nov. 30, 1948; 8:48 a. m.]

PART 573—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

APPOINTMENT OF CHAPLAINS IN REGULAR ARMY

Sections 573.23 to 573.37, under the heading, "Appointment of Chaplains in Regular Army," is hereby revoked.

[AR 605-30, Nov. 4, 1948] (Sec. 24, 41 Stat. 774; 10 U. S. C. 231)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-10436; Filed, Nov. 30, 1948; 8:48 a. m.]

TITLE 43—PUBLIC LANDS:
INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1700]

PART 280—SURVEYS

Part 280 is revised to read as follows:

SURVEYING THE PUBLIC LANDS

- | | |
|---|---|
| Sec. | |
| 280.1 | Cadastral surveying activities under jurisdiction of the Director, Bureau of Land Management. |
| 280.2 | Application for original survey. |
| 280.3 | Application for survey of mining claims. |
| 280.4 | Mineral surveyors to be appointed by regional administrators. |
| SURVEY OF ISLANDS OR OTHER LANDS OMITTED FROM THE ORIGINAL SURVEY | |
| 280.5 | Application for survey of islands or other omitted lands. |
| 280.6 | Notice of intended application to be served on State officials and adjacent land owners. |
| 280.7 | Evidence required as to character of land and its existence at time of original survey. |
| 280.8 | Diagram required with application. |
| 280.9 | Cost of survey borne by Government. |
| 280.10 | No preference right gained by filing of application for survey. |

AUTHORITY: §§ 280.1 to 280.10 issued under R. S. 453, 2478; 43 U. S. C. 2, 1201.

SURVEYING THE PUBLIC LANDS

§ 280.1 *Cadastral surveying activities under jurisdiction of the Director, Bureau of Land Management.* In the establishment of the Bureau of Land Management by Reorganization Plan No. 3 of 1946, the office of Supervisor of Surveys was abolished and the functions and powers thereof were transferred to the Secretary of the Interior, to be performed by such officers or agencies of the Department as might be designated by the Secretary. Under that authority, the functions and powers formerly exercised by the Supervisor of Surveys were dele-

gated to the Chief Cadastral Engineer, subject to the supervision of the Director, Bureau of Land Management. In the general reorganization and realignment of functions of the Bureau, the office of Chief Cadastral Engineer has been abolished, and the functions of that office have been delegated to the Director.

By this sequence, the cadastral surveying work of the Bureau of Land Management has been placed under the immediate jurisdiction of the Director, subject to the direction and control of the Secretary of the Interior. Certain functions relating to specific phases of the cadastral surveying work have been delegated to the regional administrators.

§ 280.2 *Application for original survey.* Application for the original extension of the rectangular system of public land surveys to include unsurveyed townships should be filed in duplicate with the public survey office of the State in which the lands are situated. The application may be in letter form, and should describe the unsurveyed area by township and range of the public surveys, and should set forth the interest of the applicant in the land and the basis of need for extension of the surveys.

§ 280.3 *Application for survey of mining claims.* Application for the survey of a mining claim should be filed with the public survey office in the State in which the claim is situated. The cadastral engineer in charge of that office will issue the necessary order for survey, and will administer the work in connection with such survey, including approval of the plat and field notes thereof and certification as to expenditures made upon the claim. If there be no public survey office in the State in which the claim is situated, the application should be filed with the Director, Bureau of Land Management, Washington 25, D. C.

§ 280.4 *Mineral surveyors to be appointed by regional administrators.* The appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) and § 185.50 of this chapter, will be made by the regional administrators; application for such appointment should be made to the appropriate regional administrator.

SURVEY OF ISLANDS OR OTHER LANDS OMITTED FROM THE ORIGINAL SURVEY

§ 280.5 *Application for survey of islands or other omitted lands.* Application for the survey of an island or other land omitted from the original survey should be made on Form 4-022a, or its equivalent, and filed in duplicate with the public survey office in the State in which the lands are situated, or with the Director, Bureau of Land Management, Washington 25, D. C., if there be no public survey office in the State.

§ 280.6 *Notice of intended application to be served on State officials and adjacent land owners.* Notice of intention to apply for the survey of an island or other land omitted from the original survey must be served on the adjacent land owners, and the Attorney General and the Secretary of State for the State in which the land is situated, at least 30

days prior to the date of application for survey. Service may be had by registered mail or in person, evidence of which may consist of the registry return receipt or signed acknowledgment of service. A copy of each notice, with proof of service thereof, must be filed with the application. Failure to obtain evidence of service may be explained.

No particular form of notice is prescribed. The notice must make it clear, however, that the land covered by the application is contended to be public land of the United States and subject to survey and administration as such, and that any protest against the proposed survey should be filed with the public survey office, or with the Director, Bureau of Land Management, Washington 25, D. C., if there be no public survey office in the State. It must be shown what particular surveyed lands opposite the island, or adjoining the unsurveyed land, are owned by the adjacent land owner on whom the notice is served.

§ 280.7 *Evidence required as to character of land and its existence at time of original survey.* An application for the survey of an island or other land omitted from the original survey must be accompanied by evidence showing that the land was in existence and above ordinary high-water elevation when the State was admitted into the Union, and when the adjacent lands were surveyed. Such evidence should consist of statements from at least two persons familiar with the land, as to its size, elevation and appearance, and the species, size, and age of the timber growth thereon, or nature of other vegetation.¹

§ 280.8 *Diagram required with application.* A diagram showing the approximate configuration of the island or other land applied for, and its location with reference to the public land surveys, must accompany the application.

§ 280.9 *Cost of survey borne by Government.* In the event of approval of the application, the costs of the survey will be borne by the Government.

§ 280.10 *No preference right gained by filing of application for survey.* Should the island or other land be surveyed as public land, no preference right to acquire the same under the laws governing the disposal of public lands will be gained by the filing of the application for survey.

ROSCOE E. BELL,
Associate Director

Approved: November 22, 1948.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

[F. R. Doc. 48-10423; Filed, Nov. 30, 1948;
8:46 a. m.]

¹ Section 80 of Title 18 of the United States Code makes it a crime for any person knowingly or willfully to submit or cause to be submitted to any agency of the United States any false or fraudulent statement as to any matter within its jurisdiction.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapters A and B—Carriers by Motor Vehicle
[Ex Parte No. MC-40, Ex Parte No. MC-4]

PART 195—ACCIDENT REPORTS

QUALIFICATION AND SERVICE OF EMPLOYEES OF MOTOR CARRIERS; SAFETY OF OPERATION AND EQUIPMENT OF COMMON CARRIERS AND CONTRACT CARRIERS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 17th day of September A. D. 1948.

In the matter of the qualifications and maximum hours of service of employees of motor carriers and safety of operations and equipment. Ex parte No. MC-40.

In the matter of the qualifications of employees and safety of operation and equipment of common carriers and contract carriers by motor vehicle. Ex Parte No. MC-4.

It appearing, that revised and improved accident report forms designed for use by carriers of passengers or property by motor vehicle have been developed by a Panel on Motor Carrier Accident Reports, of the Advisory Council on Federal Reports, established at the instance of the Bureau of the Budget and comprised of safety specialists and representatives of each kind of agency concerned, with the view of obtaining uniformity in reporting such information to the Federal Government, with the possibility that such forms will be accepted and adopted by State public utilities (or railroad) commissions, and insurance companies, thereby achieving interchangeability of data to an extent not heretofore feasible, to the mutual advantage of all concerned;

It further appearing, that the Panel of Motor Carrier Accident Reports, of the Advisory Council on Federal Reports, a representative body of the agencies and industries concerned, having given full consideration to this matter and recommended adoption of this form, and the proposed form having been considered and good cause appearing, we find that the adoption of the proposed accident report form will be in the public interest, that further notice to interested parties and opportunity to be heard is unnecessary, and that the proposed forms may be adopted in accordance with section 4 of the Administrative Procedure Act (sec. 1003, U. S. Code) without further proceedings.

It is ordered, That the order by Division 5 in Ex Parte MC-4, dated October 26, 1939, prescribing Form BMC-50 (49 CFR, Cum. Supp., 7.50, 195.0) for use by motor carriers in making required reports of accidents to this Commission, is vacated and set aside;

It is further ordered, That the forms hereto attached and made a part hereof,¹ designated Form BMC-50-B (1949)

(§ 7.50b) and Form BMC-50-T (1949) (§ 7.50t) are hereby prescribed for use by common and contract carriers by motor vehicle in making required reports of accidents to this Commission;

It is further ordered, That §§ 195.3, 195.4, 195.41, 195.42, 195.43, and 195.6 (rules 4.3, 4.4, 4.41, 4.42, 4.43, and 4.6 M. C. S. R., Rev.) are hereby amended to read as follows:

§ 195.3 *Manner of reporting accidents.* [Rule 4.3 M. C. S. R., Rev.]

§ 195.31 *Reports of accidents involving passenger-carrying vehicles.* A detailed report of each reportable accident involving a bus operated by him or it shall be prepared by the motor carrier on Form BMC-50-B (1949) (§ 7.50b) [Rule 4.31 M. C. S. R., Rev.]

§ 195.32 *Reports of accidents involving property-carrying or service vehicles.* A detailed report of each reportable accident involving a motor vehicle other than a bus operated by him or it shall be prepared by the motor carrier on Form BMC-50-T (1949) (§ 7.50t) [Rule 4.32 M. C. S. R., Rev.]

§ 195.33 *Filing of accident reports.* The original of each accident report prepared in compliance with these sections shall be filed by the motor carrier as soon as possible, and in every instance within 15 days after occurrence of the accident, with the District Director, Bureau of Motor Carriers, for the district in which the motor carrier has his or its principal place of business: *Provided*, That if the motor carrier has his or its principal place of business outside the borders of the United States, the original report of each such accident occurring in the United States shall be filed within 15 days after occurrence of the accident with the District Director in the district in which the accident occurred. [Rule 4.33 M. C. S. R., Rev.]

§ 195.34 *Retention of copies of accident reports.* A copy of each accident report filed in compliance with the regulations in this part shall be retained by the motor carrier in the files of his or its principal place of business: *Provided*, however That a copy of an identical report of such an accident filed with any State public utilities or railroad commission or other State agency, or insurance company requiring the reporting of accidents on forms identical with Form BMC-50-B (1949) (§ 7.50b) and Form BMC-50-T (1949) (§ 7.50t), will satisfy this requirement if such copy carries a notation on its face that report of the accident has been made to this Commission. [Rule 4.34 M. C. S. R., Rev.]

§ 195.35 *Incorporation of accident report forms and instructions.* Form BMC-50-B (1949) (§ 7.50b) and Form BMC-50-T (1949) (§ 7.50t) shall be prepared according to the instructions for use of these forms which, together with the aforementioned forms, are attached hereto and made a part hereof.¹ [Rule 4.35 M. C. S. R., Rev.]

§ 195.4 *Reporting of accident fatalities.* [Rule 4.4 M. C. S. R., Rev.]

¹ Filed as part of the original document.

§ 195.41 *Immediate notice when death occurs within 24 hours.* Whenever a reportable accident results in the death of any person at the time of the accident or within 24 hours thereafter, the motor carrier, whether domiciled in the United States or elsewhere, shall immediately transmit notice of such death by telegraph or telephone to the proper District Director as indicated in § 195.33 (rule 4.33 M. C. S. R., Rev.) Such notice shall include the following information: The date, time, and exact location of the accident, the number of persons killed and the number injured, and the name and address of the motor carrier. [Rule 4.41 M. C. S. R., Rev.]

§ 195.42 *Deaths occurring before filing BMC-50-B or BMC-50-T report.* In addition to the requirements of § 195.41 (rule 4.41 M. C. S. R., Rev.) all deaths shall be reported on Form BMC-50-B (1949) (§ 7.50b) or Form BMC-50-T (1949) (§ 7.50t) whether they occur at the time of the accident or subsequently if such deaths occur prior to the filing of said accident report form. [Rule 4.42 M. C. S. R., Rev.]

§ 195.43 *Notice of death after filing BMC-50-B or BMC-50-T report.* Whenever any accident results in the death of any person after the motor carrier has filed his report of the accident on Form BMC-50-B (1949) (§ 7.50b) or Form BMC-50-T (1949) (§ 7.50t), notice of such death shall be given in writing as soon as possible after such death becomes known to the motor carrier, to the proper District Director as indicated in § 195.33 (rule 4.33 M. C. S. R., Rev.) or, in the case of a carrier having his or its principal place of business outside the borders of the United States, to the Director, Bureau of Motor Carriers, Washington, D. C. Such notice shall include the following information: The date and location of the accident, the name and age of the deceased, and the name and address of the motor carrier. [Rule 4.43 M. C. S. R., Rev.]

§ 195.6 *Supplies of accident report forms, BMC-50-B and BMC-50-T.* For the purpose of compliance with the regulations in this part, every common and contract motor carrier shall keep on hand an adequate supply of Form BMC-50-B

(1949) (§ 7.50b) and/or Form BMC-50-T (1949) (§ 7.50t) to enable prompt reporting of accidents.² [Rule 4.6 M. C. S. R., Rev.]

It is further ordered, That this order shall become effective January 1, 1949, and shall continue in effect until the further order of the Commission, and

It is further ordered, That notice of this order shall be given all common carriers by motor vehicle and all contract carriers by motor vehicle of record with this Commission by mailing to each of them a copy thereof, and to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of Federal Register.

(41 Stat. 1445, 49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, 56 Stat. 176; 18 U. S. C. 383; 49 U. S. C. 304 (a))

By the Commission.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-10434; Filed, Nov. 30, 1948; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 941]

[AMA Docket No. AO 101-A9]

CHICAGO, ILLINOIS, MILK MARKETING AREA NOTICE OF EXTENSION OF TIME FOR FILING SUGGESTED FINDINGS OF FACT AND CON- CLUSIONS, AND BRIEFS IN SUPPORT THERE- OF

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and

orders (7 CFR Supps. 900.1 et seq; 11 F. R. 7737; 12 F. R. 1159, 4904) notice is hereby given that the time for filing suggested findings of fact and conclusions and briefs in support thereof on the evidence adduced at the public hearing on proposed amendments to the tentative marketing agreement, as amended, and order; as amended, regulating the handling of milk in the Chicago, Illinois, milk marketing area, which was held in Chicago, Illinois, September 21-23, 1948, following the issuance of notice on September 16, 1948 (13 F. R. 5400), is hereby further extended to January 15, 1949.

At the conclusion of the hearing the date for filing was announced as October 25, 1948. Subsequently, at the request of the proponents of the proposed amendments the Presiding Officer extended the time for filing thirty days from that date. The further extension to January 15, 1949 herein granted is also at the request of the proponents of the proposed amendments.

Dated: November 24, 1948.

[SEAL]

JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-10432; Filed, Nov. 30, 1948; 8:47 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

DESIGNATION OF MOTIONS COMMISSIONER FOR DECEMBER, 1948

[Designation Order 28]

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of November 1948;

It is ordered, Pursuant to § 1.111 of the Commission's rules and regulations, that E. M. Webster, Commissioner, be and he is hereby, designated as Motions Commissioner for the month of December, 1948.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will

No. 233—2

designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10442; Filed, Nov. 30, 1948; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6169]

BUFFALO NIAGARA ELECTRIC CORP.

ORDER CONSENTING TO WITHDRAWAL OF RATE SCHEDULE AND TERMINATING PROCEED- ING

NOVEMBER 24, 1948.

Upon consideration of the application of Buffalo Niagara Electric Corporation (Buffalo Niagara) filed November 16,

1948, requesting withdrawal of the supplemental agreement with New York State Electric and Gas Corporation (New York Company) dated June 21, 1948, tentatively designated Supplement No. 5 to Buffalo Niagara's Rate Schedule FPC No. 2, heretofore suspended by order of this Commission entered October 12, 1948, and termination of proceeding instituted by the aforesaid order;

The Commission orders that:

(A) Buffalo Niagara be and it hereby is permitted to withdraw its supplemental agreement, tentatively designated Supplement No. 5 to its Rate Schedule FPC No. 2.

²Supplies of these forms may be obtained from the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., or from any District Director or Supervisor.

(B) The proceeding instituted by the order of October 12, 1948, suspending the rate schedule referred to in paragraph (A) above, be and the same hereby is terminated.

Date of issuance: November 26, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10433; Filed, Nov. 30, 1948;
8:48 a. m.]

[Docket No. E-6179]

EL PASO ELECTRIC CO.

NOTICE OF APPLICATION

NOVEMBER 24, 1948.

Notice is hereby given that on November 23, 1948, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by El Paso Electric Company, a corporation organized under the laws of the State of Texas and doing business in the States of Texas and New Mexico with its principal business office at El Paso, Texas, seeking an order authorizing the issuance of \$1,500,000 aggregate principal amount of Promissory Notes to The Chase National Bank of the City of New York, Irving Trust Company of New York, the State National Bank of El Paso and El Paso National Bank, at the prime interest rate in effect at the time of borrowing, the notes to mature in nine months from the date of issuance; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should on or before the 15th day of December, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10421; Filed, Nov. 30, 1948;
8:46 a. m.]

[Project No. 2002]

LINOMA POWER CO.

ORDER FIXING HEARING

NOVEMBER 22, 1948.

(1) On July 26, 1948, Linoma Power Company of Lincoln, Nebraska, filed an application (designated as Project No. 2002) for preliminary permit for a proposed water power project to be located on the Platte River, near South Bend, Nebraska.

(2) State agencies, municipalities, private corporations, and citizens have expressed an interest in or objection to the issuance of a permit for the proposed development.

The Commission finds that:

(3) The applicant and all other interested persons should be afforded an opportunity to present their views in con-

nection with the development proposed in the application.

The Commission orders that:

(4) A public hearing on the application be held beginning at 10:00 a. m., (c. s. t.) Tuesday, December 7, 1948, in North Court, Room No. 303-B, Post Office and Court House Building, Omaha, Nebraska.

(5) As provided in Rule 30 of the Commission's general rules and regulations (18 CFR 1.30) the officer hereafter designated to preside at the hearing shall certify the record of the hearing, including his report thereon, to the Commission for its decision, and such report shall constitute a recommended decision.

Date of issuance: November 24, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10420; Filed, Nov. 30, 1948;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL.

SUPPLEMENTAL ORDER GRANTING ADDITIONAL TIME TO STABILIZE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of November, A. D. 1948.

Electric Bond and Share Company ("Bond and Share") a registered holding company, having previously filed an application-declaration regarding the sale of not in excess of 350,000 shares of its holdings of common stock of Carolina Power & Light Company ("Carolina") plus any additional shares of such common stock which might be purchased in connection with stabilization operations; and

Bond and Share in connection with its proposed stabilizing operations having requested permission to acquire not more than 17,500 shares of the common stock of Carolina by purchases on the New York Stock Exchange; and

The Commission having by interim orders dated October 22, 1948 and November 18, 1948 granted said application solely with respect to the acquisition by Bond and Share of not in excess of 17,500 shares of the common stock of Carolina for the purpose of stabilizing the market, the last date upon which such acquisitions could have been made being November 22, 1948; and

Bond and Share by supplemental application having requested that the Commission issue a further order authorizing the continuance of such purchases for the purpose of stabilization during the period commencing on the opening of business on November 19, 1948 and ending either on the date of the execution of a purchase contract between Bond and Share and the underwriters or at the close of business on the fifteenth day after the commencement of such period, whichever date shall be earlier; and

The Commission having considered said supplemental application and being

of the opinion that some additional time may be granted, such time, however, to be limited to a period commencing at 12:00 o'clock noon, e. s. t. on November 23, 1948 and ending either at the time of the execution of a purchase contract between Bond and Share and the underwriters or at the close of the New York Stock Exchange on December 1, 1948, whichever shall be earlier.

It is ordered, Pursuant to the applicable provisions of the Public Utility Holding Company Act that, effective forthwith, the aforesaid supplemental application regarding additional time within which Bond and Share may acquire shares of the common stock of Carolina for the purpose of stabilization be, and the same hereby is, granted, to the extent of authorizing stabilization for the period commencing at 12:00 o'clock noon, e. s. t., on November 23, 1948 and ending either at the time of the execution of a purchase contract between Bond and Share and the underwriters or at the close of the New York Stock Exchange on December 1, 1948, whichever shall be earlier, subject in all other respects to the provisions of the order of October 22, 1948 and to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10423; Filed, Nov. 30, 1948;
8:47 a. m.]

[File Nos. 54-75, 54-161, 59-8, 59-20]

COMMONWEALTH & SOUTHERN CORP.
(DEL.) ET AL.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of November A. D. 1948.

In the matter of the Commonwealth & Southern Corporation, (Delaware) File No. 54-161, the Commonwealth & Southern Corporation, (Delaware), Respondent, File No. 59-20; the Commonwealth & Southern Corporation, (Delaware) and its subsidiary companies, respondents, File No. 59-8; the Commonwealth & Southern Corporation, (Delaware) File No. 54-75.

The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act") for approval of a plan, and amendments thereto ("Amended Plan") providing, among other things, for the dissolution of Commonwealth and for its complete liquidation by the following distributions;

(1) To Commonwealth's preferred stockholders for each share held: 2.80 shares of common stock of Consumers Power Company ("Consumers"), 0.55 share of common stock of Central Illinois Light Company ("Central Illinois"), and \$1 in cash;

(2) To Commonwealth's common stockholders for each share held: one-third share of common stock of the

Southern Company ("Southern") or the nearest practicable pro rata part of such common stock; the pro rata part of the shares of common stock of Ohio Edison Company ("Ohio") deemed not necessary to be retained to pay certain temporary loans; and the pro rata part of the remaining assets of Commonwealth either in kind or in cash;

Commonwealth having requested the Commission to enter an order finding that the transactions proposed in the Amended Plan are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby, and that such order contain recitals in accordance with sections 371 (f) and 1803 (f) of the Internal Revenue Code;

Commonwealth having further requested the Commission, pursuant to section 11 (e) of the act, to apply to an appropriate court, in accordance with the provisions of subsection (f) of section 18 of the act, to enforce and carry out the terms and provisions of the Amended Plan; and

Public hearings having been held, after appropriate notice, at which security holders and other interested persons were afforded an opportunity to be heard, and the Division of Public Utilities of the Commission having filed a proposed findings and recommended opinion and various interested persons having filed proposed findings, exceptions and briefs;

The Commission having heard oral argument and considered the record and having issued its findings and opinion, concluding therein that the Amended Plan is necessary to effectuate the provisions of section 11 (b) of the act, and fair and equitable to the persons affected thereby;

It is ordered, That said Amended Plan be and hereby is approved, subject to the terms and conditions contained in Rule U-24 and to the following additional terms and conditions:

(1) That the order entered herein shall not be operative to authorize the consummation of the transactions proposed in the said Amended Plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said Amended Plan; and

(2) That jurisdiction be and hereby is specifically reserved with respect to the following matters:

(a) The determination of the reasonableness and appropriate allocation of all fees and expenses and other remuneration incurred or to be incurred in connection with the said Amended Plan and the transactions incident thereto;

(b) The determination of the propriety, nature and terms of any agreement which may be entered into between The Commonwealth & Southern Corporation (of New York) and any of the subsidiaries of Commonwealth after the divestment of such subsidiary from the Commonwealth holding company system;

(c) The approval of the designation of a scrip agent and the powers, rights and duties thereof;

(d) The approval of the terms, conditions and procedures under which

Commonwealth may buy and sell any shares for the purpose of carrying out the provisions of the Amended Plan;

It is further ordered, That counsel for the Commission be, and they hereby are, authorized and directed to make application forthwith, on behalf of the Commission, to an appropriate United States District Court, pursuant to the provisions of section 11 (e) and in accordance with subsection (f) of section 18 of the act, to enforce and carry out the terms and provisions of the said Amended Plan;

It is further ordered and recited, That all steps and transactions embraced within the Amended Plan, including, but not limited to, those specified below, are necessary or appropriate to the integration or simplification of the Commonwealth holding company system and necessary or appropriate to effectuate the provisions of section 11 (b) of the act and are hereby authorized, approved and directed:

(1) The surrender by the holders thereof and the acquisition and cancellation by Commonwealth, pursuant to the Amended Plan, of the 1,441,247 outstanding shares of its preferred stock, \$6 series, and the 33,673,328-71/1200ths outstanding shares of its common stock (including therein, and the outstanding shares of such preferred stock and common stock are hereby defined as including, the outstanding scrip certificates for such preferred stock and for such common stock and the outstanding shares of preferred stock and of common stock and option warrants, and the certificates for and scrip certificates with respect to the foregoing, of Commonwealth's predecessor or transferor companies, namely, Allied Power & Light Corporation, Commonwealth Power Corporation, Penn-Ohio Edison Company, and Southeastern Power & Light Company, and the shares of preferred stock and common stock of Commonwealth, and scrip certificates therefor, issuable or issued in exchange for the foregoing as specified therein or in the "Plan of Merger and Consolidation of The Commonwealth & Southern Corporation, Allied Power & Light Corporation, Commonwealth Power Corporation, Penn-Ohio Edison Company, and Southeastern Power & Light Company, dated as of January 7, 1930")

(2) The transfer and delivery by Commonwealth to the holders of its outstanding preferred stock, as defined in paragraph (1) above, and the acquisition by such holders, pursuant to the Amended Plan, of 4,035,491.60 shares of common stock of Consumers, and of 792,635.85 shares of common stock of Central Illinois (including therein in each case scrip certificates and the shares of common stock with respect to which such scrip certificates are issued) and \$1,441,247 in cash at the rate of 2.80 shares of common stock of Consumers, .55 share of common stock of Central Illinois, and \$1.00 for each share of such preferred stock of Commonwealth, subject as to such cash, to an increase or reduction of the aggregate amount thereof and the amount per share of preferred stock by the amount by which the amount of dividends accrued and in arrears is, on the effective date for the delivery herein referred to, re-

spectively more or less than \$17.00 per share of such preferred stock.

(3) The transfer and delivery by Commonwealth to the holders of its outstanding common stock, as defined in paragraph (1) above, and the acquisition by such holders, pursuant to the Amended Plan, of 11,785,664.82 shares of common stock of Southern, and, to the extent distributed by Commonwealth under the Amended Plan, up to 2,020,399.68 shares of common stock of Ohio (including therein in each case scrip certificates and the shares of common stock with respect to which such scrip certificates are issued) and cash in an, as yet, undetermined amount, at the rate, for one share of such common stock of Commonwealth of .35 share of common stock of Southern and, to the extent distributed by Commonwealth under the Amended Plan, up to .06 share of common stock of Ohio and cash in an, as yet, undetermined amount, the aggregate amount of such cash and the amounts of each thereof per share of such common stock of Commonwealth to be set forth in and specified, when determined, in an order of this Commission supplemental hereto.

(4) The sale and transfer by Commonwealth, pursuant to the Amended Plan, of 7,314.15 shares of common stock of Central Illinois, 31,936.32 shares of common stock of Ohio and any other shares thereof not delivered as provided in paragraph (3) above, and 234,335.18 shares of common stock of Southern and the use of the proceeds, or an amount equal thereto, for the purchase by Commonwealth, pursuant to the Amended Plan or to any order heretofore or hereafter issued in File Nos. 54-1680, 54-1902, 54-1905 or 54-1914, of all or any part of 412,059 shares of common stock of Consumers, 1,000,000 shares of common stock of Southern or 256,549 shares of common stock of Ohio, or of shares purchased by Commonwealth for the purposes described in paragraph (7) below, or to reimburse its treasury for any or all of the foregoing, or for the payment, retirement and cancellation of any indebtedness incurred by Commonwealth for any of the foregoing purposes, or for the distribution to the holders of the common stock of Commonwealth as defined in paragraph (1) above.

(5) The cancellation and elimination by Commonwealth, pursuant to the Amended Plan, of its outstanding option warrants (including those issuable in exchange for scrip certificates of Commonwealth therefor or pursuant to the Plan of Merger and consolidation, dated as of January 7, 1930, referred to in paragraph (1) above) entitling the holders to purchase, without limit as to time, at \$30.00 per share, 17,538,956-373/1200 shares of common stock of Commonwealth.

(6) The issuance and delivery by Commonwealth, subsequent to the effective date of the Amended Plan, of shares of its common stock, of certificates, therefor and of scrip certificates with respect thereto, and of scrip certificates with respect to shares of its preferred stock, pursuant to the Plan of Merger and Consolidation, dated as of January 7, 1930, referred to in paragraph (1) above.

(7) The issuance of scrip certificates, in lieu of fractional shares of the common stocks to be transferred and delivered by Commonwealth pursuant to the Amended Plan as described in paragraphs (2) and (3) above; the transfer and delivery by Commonwealth to scrip agents, pursuant to the Amended Plan, of shares of the common stocks of its subsidiaries named in paragraphs (2) and (3) above and the acquisition of such shares by said scrip agents as the basis of issue of such scrip certificates; the transfer and delivery of shares of such common stocks in exchange for such scrip certificates in accordance with their respective terms; the purchase and sale and the transfer by Commonwealth of whole or fractional shares of such common stocks for the purpose of facilitating the exchange of shares for the scrip certificates therefor and the use by it of the proceeds of any such sales for the purposes described in paragraph (4) above; the purchase and sale and the transfer by said scrip agents, for the account of holders of scrip certificates, of any shares of such common stocks for the purpose of facilitating the exchange of shares for the scrip certificates therefor; and the sale and transfer by said scrip agents, for the account of holders of scrip certificates, of any shares of such common stocks held by such scrip agents at the termination of the period of two years after the initial date for distribution under the Amended Plan of such common stock; and the use and distribution by such scrip agents, pursuant to the Amended Plan, of the proceeds from any such sales for the payment of any expenses of such scrip agents defrayable therefrom and for payment to the holders of the scrip certificates for whose accounts such sales were made.

(8) The sale and transfer by Commonwealth pursuant to the Amended Plan of shares of common stock of Consumers and of Central Illinois for the account of holders of preferred stock, as defined in paragraph (1) above, of Commonwealth who elect against receipt of scrip certificates with respect to fractional shares, and of those holders of such preferred stock who do not surrender their certificates therefor within the period required to receive the shares of such common stocks to which they would be otherwise entitled pursuant to the Amended Plan, and of shares of common stock of Ohio and of Southern for the account of holders of common stock, as defined in paragraph (1) above, of Commonwealth who elect against receipt of scrip certificates with respect to fractional shares and of those holders of such common stock who do not surrender their certificates therefor within the period or periods required to receive the shares, if any, of such common stocks, to which they would be otherwise entitled pursuant to the Amended Plan, and the distribution and payment by Commonwealth of the proceeds of such sales to the respective stockholders of Commonwealth for whose accounts such sales were made.

(9) The sale and transfer by Consumers, Central Illinois, Ohio, Pennsylvania Power Company and Southern In-

diana Gas and Electric Company of all of the shares of the capital stock of The Commonwealth & Southern Corporation (of New York) the service company, owned by said companies, the acquisition of such shares by the service company, and the sale and transfer of such shares by the service company to others of its stockholders (all companies within the Commonwealth holding company system)

It is further ordered and recited, That the Commission reserves jurisdiction, by subsequent order or orders, upon application by Commonwealth, to approve, authorize and direct, the disposition, expenditure or distribution of any of the assets of Commonwealth, or of the proceeds of sale thereof, not herein specifically approved, authorized and directed and to make such other determinations, findings and recitals as may be necessary or appropriate to the consummation of the Amended Plan and to the application to any and all of the transactions incidental to its consummation of the provisions of Supplement R and section 1808 (f) of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10431; Filed, Nov. 30, 1948;
8:47 a. m.]

[File Nos. 1893, 1913]

PUBLIC SERVICE COMPANY OF INDIANA,
INC., AND MIDDLE WEST CORP.

ORDER RELEASING JURISDICTION OVER
CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of November A. D. 1948.

The Commission, in its memorandum findings and order dated September 29, 1948, having authorized Public Service Company of Indiana, Inc., ("Public Service") to issue additional shares of its no par value common stock to its common stockholders, and to amend its Articles of Consolidation, as amended, so as, among other things, to increase the number of shares of authorized common stock from 2,000,000 shares to 5,000,000 shares; and

The Commission having, by said order, reserved jurisdiction with respect to the reasonableness of expenditures to be made in connection with the employment of solicitors to assist the management in the solicitation of proxies from the holders of its outstanding common stock and 3½% Cumulative Preferred Stock to secure the adoption of said amendment; and

Public Service having filed an amendment stating that it employed Dudley F. King to solicit proxies and that the fees and expenses for such services amount to \$1,000;

It appearing to the Commission that the said amount in payment for the proxy solicitation services is not unreasonable under the circumstances of this case:

It is ordered, That the jurisdiction heretofore reserved as to the reasonableness of expenditures with respect to the employment of solicitors be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10429; Filed, Nov. 30, 1948;
8:47 a. m.]

[File No. 70-1983]

ROCHESTER GAS AND ELECTRIC CORP. AND
GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of November 1948.

General Public Utilities Corporation ("GPU") a registered holding company, and its subsidiary, Rochester Gas and Electric Corporation ("Rochester"), having filed a joint application-declaration, and amendments thereto, pursuant to sections 6 (b) and 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 promulgated thereunder with respect to the following transactions:

Rochester requests authorization from this Commission, pursuant to the first sentence of section 6 (b) of the act, to permit it to issue and sell, from time to time, its unsecured notes, each of which will bear interest in an amount not to exceed 3% per annum, will mature not more than nine months after the date of issue thereof, and which (together with all other then outstanding unsecured notes of a maturity of nine months or less) will aggregate in principal amount outstanding at any one time not more than \$12,500,000 in addition to the amount of unsecured notes, debentures, or other securities representing unsecured indebtedness which it might issue under its articles of incorporation without the prior consent of the holders of its outstanding preferred stock, and that such exemption with respect to the issuance or renewal of such notes be for a period of two years from the date upon which such authorization may be granted; and

GPU requests authority to make, from time to time during the period July 29, 1947, to August 29, 1951, cash capital contributions to Rochester, the amount of such contributions to be not in excess of the sum of (a) \$300,000 plus (b) an amount equal to the aggregate amount of dividends on Rochester's common stock theretofore declared and paid by Rochester to GPU from and after June 30, 1947; and

Such joint application-declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as

amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the said joint application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith so that Rochester may issue and sell, and renew, for a period of two years from the date of this order, promissory notes each of which will bear interest in an amount not to exceed 3% per annum and will have a maturity of nine months or less, in an aggregate principal amount which may exceed five per centum of the aggregate of the principal amount, par value and fair market value, of Rochester's other securities but in no event may such outstanding notes exceed in aggregate principal amount an amount equal to (a) \$12,500,000 plus (b) the amount of unsecured notes, debentures, or other securities representing unsecured indebtedness which Rochester might issue under its articles of incorporation without the prior consent of the holders of its preferred stock, subject to the conditions that (1) so long as any notes of Rochester having a maturity of nine months or less are outstanding in an aggregate amount in excess of that which would, in the absence of this order, be exempt from the provisions of section 6 (a) of the act by reason of the provisions of the first sentence of section 6 (b) of the act, the aggregate amount of dividends declared and paid upon Rochester's common stock from and after June 30, 1947, shall not be in excess of the aggregate amount of cash capital contribution, if any, as shall theretofore have been received by Rochester from the holder or holders of its common stock from and after June 30, 1947; (2) within ten days of the date upon which Rochester issues any initial notes, or renewal notes, or pays any of such notes, it file a notification in this proceeding of the amount of such notes, the interest rate thereon, the name of the payee, and the total amount of notes of a maturity of nine months or less then outstanding; and (3) within ten days of the date upon which Rochester declares a dividend upon its common stock, it file a notification in this proceeding of the aggregate amount of dividends paid on its common stock from and after June 30, 1947, and the aggregate amount of cash capital contributions received by it from the holder or holders of its common stock from and after June 30, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10425; Filed, Nov. 30, 1948;
8:46 a. m.]

[File No. 70-1037]

CAMBRIDGE ELECTRIC LIGHT CO. AND NEW
ENGLAND GAS AND ELECTRIC ASSN.

ORDER GRANTING APPLICATION AND PERMIT-
TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 23d day of November 1948.

New England Gas and Electric Association ("New England") a registered holding company, and its subsidiary Cambridge Electric Light Company ("Cambridge") having filed a joint application-declaration pursuant to sections 6 (b) 10 and 12 (f) of the act and Rule U-43 promulgated thereunder regarding the issue and sale by Cambridge to New England of 4,734 shares of common stock of the par value of \$25 per share, at a price of \$150 per share, or an aggregate of \$710,100, the proceeds thereof to be applied by Cambridge to the reimbursement of its Plant Replacement Fund Assets account for expenditures made therefrom for additions and improvements to the company's plant and properties; and the Department of Public Utilities of Massachusetts having approved the issue and sale of the common stock by order dated October 4, 1948; and

Said application-declaration having been duly filed, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the applicable requirements of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24 that the application-declaration be and the same hereby is granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10427; Filed, Nov. 30, 1948;
8:47 a. m.]

[File No. 70-1933]

QUEENS BOROUGH GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of November 1948.

Queens Borough Gas and Electric Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed a declaration pur-

suant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transaction:

Declarant proposes to issue and sell for cash at principal amount to three commercial banks an aggregate of \$1,500,000 principal amount of unsecured notes, each of which will bear interest at the rate of 2½% per annum and will mature October 26, 1949. The proceeds of the sale of the notes are to be used for payment of outstanding notes in an aggregate principal amount of \$650,000 which mature November 26, 1948, and other outstanding notes in the aggregate principal amount of \$850,000 which mature on January 22, 1949.

Such declaration having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective, and deeming it appropriate to grant the request of declarant that the order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10423; Filed, Nov. 30, 1948;
8:49 a. m.]

[File No. 70-2031]

CENTRAL MAINE POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of November A. D. 1948.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Central Maine Power Company ("Central Maine") a public-utility subsidiary of New England Public Service Company, a registered holding company. Applicant has designated the first sentence of section 6 (b) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may not later than December 3, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if

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any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 3, 1948, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central Maine requests authorization to issue or renew, up to and including December 31, 1948, short-term notes, i. e., notes having a maturity of nine months or less, up to a maximum amount of \$10,000,000. The application states that the company had outstanding as of November 12, 1948, notes payable to the order of the First National Bank of Boston aggregating \$8,000,000; that the company contemplates borrowing an additional \$500,000 on or about November 24, 1948, which will make the total short-term notes of the company equal to the authorization of \$8,500,000 granted to the company by order of the Commission of August 16, 1948; and that unless the proceeds from the sale of common stock, proposed by the company in proceedings now pending before the Commission (File No. 70-1972) are received prior to December 6, 1948, the company will be required to borrow at least an additional \$1,000,000 between December 6 and December 31, 1948. The application states that the company has an understanding with the First National Bank of Boston that, until further notice, interest rates on the first \$5,000,000 of renewals or new money will be at the rate of 2% per annum and on amounts in excess of \$5,000,000 will be at the rate of 2½% per annum. It is further stated that in case said rates shall exceed such amounts, the company will file an amendment to its application, stating the rates of interest, at least five days prior to the execution and delivery of any note bearing such new interest rates, and unless the Commission shall notify the company to the contrary within said five-day period, the amendment shall become effective at the end of said period.

The application states that the issue and sale of the securities proposed are solely for the purpose of financing the business of the company and are not subject to the jurisdiction of the Public Utilities Commission of Maine.

The amount of notes proposed to be issued by Central Maine is in excess of 5% of the principal amount and par value of other outstanding securities of the company. The company requests authorization pursuant to the first sentence of section 6 (b) of the act to issue such notes.

Central Maine requests that the Commission's order be issued on or before December 6, 1948, and that such order become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10424; Filed, Nov. 30, 1948;
8:46 a. m.]

[File No. 812-571]

INTERNATIONAL MINING CORP. AND EL PASO
MINES, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 24th day of November A. D. 1948.

Notice is hereby given that International Mining Corporation (hereinafter called "International") a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act a proposed purchase by International from El Paso Mines, Inc. (hereinafter called "El Paso"), of the latter's mining properties, for the sum of \$1,000.

International owns 31.25% of the outstanding stock of El Paso as a result of which El Paso is an affiliated person of International. Other persons affiliated with International also own stock of El Paso. Donald B. Douglas, Chairman of the Board of International and a director of El Paso, together with members of his family owns 5.88% of the outstanding stock of El Paso; George Easley, a director of International and president and a director of El Paso owns 2.94% and Puritan Exploration Co., the owner of 10% of the stock of Inland Lead and Zinc Company (in dissolution), a subsidiary of International owns 2.94%.

El Paso was organized in the year 1945 to reopen an old mine known as the El Paso Mine in the Cripple Creek district in the State of Colorado. A lease on the mine (with an option to purchase) was transferred to it by the El Paso Mines Syndicate, in which International and the affiliated persons mentioned above were participants. El Paso also acquired the ownership of other mining property from the El Paso Mines Syndicate, and itself purchased and leased additional mining property.

After extensive rehabilitation of the mine active development work was started in June 1946. In view of the disappointing results of such work, El Paso suspended operations in November 1947. Thereafter El Paso surrendered its lease on the El Paso Mine and proceeded to sell its equipment and other property. El Paso now is left with mining properties which it purchased at a cost of approximately \$16,000, as well as leases on certain other mining properties. El Paso cannot be liquidated, as desired, until the mining properties and leases it still holds have been disposed of. It proposes to surrender the leases.

Any future value of the property still held by El Paso will largely depend upon whether or not ore is found in commercial quantities on adjoining or neighboring properties. International is willing to purchase these properties, if the stock-

holders of El Paso approve, for the sum of \$1,000 in order to facilitate liquidation of El Paso and in the hope that the properties will enhance in value so that International can at some time in the future sell them at a profit.

All interested persons are referred to said application which is on file in the offices of the Commission for a detailed statement of the proposed transaction and the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after December 6, 1948 unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than December 3, 1948 at 5:30 p. m. his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10430; Filed, Nov. 30, 1948;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9103, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9507, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9789, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 4161, Amdt.]

ALBERT GROSSHEIM

In re: Real property, personal property, property insurance policies, claim, and bank accounts owned by Albert Grossheim, also known as Albert Friedrich. Wilhelm Grossheim.

Vesting Order 4161, dated September 22, 1944, is hereby amended as follows and not otherwise:

By adding to Exhibit B, which is attached thereto and by reference made a part thereof, under the heading "Living Room" the following: one 9 x 12 rug, and under the heading "Front Bedroom" the following: one chest; and

By deleting from Exhibit C, which is attached to said Vesting Order 4161 and by reference made a part thereof, 1 trunk and substituting therefor the following: 1 trunk and contents therein, including one section old rags, 7 curtains, 1 table runner, 1 lap robe, 7 pairs stockings, 1 neck scarf, 1 table scarf, 2 dollies, 1 brown blanket, and 1 red comforter.

All other provisions of said Vesting Order 4161 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10455; Filed, Nov. 30, 1948;
8:50 a. m.]

[Vesting Order 12341]

HANS HOLZWARTH

In re: Stock owned by Hans Holzwarth. F-28-3655-A-1, D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Holzwarth, whose last known address is 7 Goethestrasse, Dusseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Eleven hundred and fifty (1150) shares of \$100.00 par value capital stock of Holzwarth Gas Turbine Co. of America, 225 Bush Street, San Francisco 4, California, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 3, registered in the name of Hans Holzwarth, and presently in the custody of Allen L. Chackering, 111 Sutter Street, San Francisco 4, California, together with all declared and unpaid dividends thereon, subject, however, to the terms of a permit, dated June 15, 1938, issued to said Holzwarth Gas Turbine Co. of America, by the Commissioner of Corporations of the State of California,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10443; Filed, Nov. 30, 1948;
8:49 a. m.]

[Vesting Order 12342]

ESTHER ANNA LAMPE

In re: Claims owned by Esther Anna Lampe.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Esther Anna Lampe, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: a. That certain debt or other obligation in the amount of \$205.00, as of September 10, 1943, owing to Esther Anna Lampe by L. B. Luthly, Brighton, Iowa, arising by reason of the sale by said L. B. Luthly of a one-half (1/2) interest in real property situated in Brighton, Iowa, inherited by said Esther Anna Lampe from Chris Jensen, deceased, and owned by her at the time of sale, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation in the amount of \$116.42, as of August 12, 1948, owing to Esther Anna Lampe by Albert Julius Jensen, 2970 Kalmia Street, San Diego 2, California, arising by reason of the receipt by said Albert Julius Jensen of the proceeds of the sale by L. B. Luthly of a one-ninth (1/9) interest in real property situated in Brighton, Iowa, inherited by said Esther Anna Lampe from Chris Jensen, deceased, and owned by her at the time of sale, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a and 2-b hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10444; Filed, Nov. 30, 1948;
8:49 a. m.]

[Vesting Order 12343]

ROSA ZEHENDER

In re: Bank accounts owned by Rosa Zehender also known as Karoline Zehender. F-28-7428-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rosa Zehender also known as Karoline Zehender, whose last known address is 63 Rosengarten Strasse, Stuttgart-Frauenkopf, American Zone, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: a. That certain debt or other obligation of First National Bank, Garden Grove, California, arising out of a savings account, account number 4058, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of First National Bank, Garden Grove, California, arising out of a savings account, account number 7693, entitled Walter or Margaret Schmid, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rosa Zehender also known as Karoline Zehender, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

NOTICES

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10445; Filed, Nov. 30, 1948; 8:49 a. m.]

[Vesting Order 12349]

PAULINE ZIEGFELD

In re: Bank account owned by Pauline Ziegfeld. F-28-7438-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Pauline Ziegfeld, whose last known address is Koelleda, Enge Gasse 1, Thuringen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Pauline Ziegfeld, by Chase National Bank of the City of New York, 20 Pine Street, New York, New York, arising out of a checking account, entitled Mrs. Pauline Ziegfeld, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10446; Filed, Nov. 30, 1948; 8:49 a. m.]

[Vesting Order 12350]

FRIEDA RUDLOFF ET AL.

In re: Bank accounts owned by Frieda Rudloff and others. F-28-3418-E-1, F-28-3576-E-1, F-28-3586-E-1, F-28-29172-E-1, F-28-29173-E-1, F-28-29174-E-1, F-28-29175-E-1, F-28-29176-E-1, F-28-29177-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That those persons whose names and last known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Those certain debts or other obligations of Kaspar American State Bank, 1900 Blue Island Avenue, Chicago 8, Illinois, arising out of savings accounts, the numbers and titles of which are as set forth opposite the names of the persons listed in the aforesaid Exhibit A, and any and all rights to demand, enforce and collect the same,

EXHIBIT A

Name of owner	Last known address	Number of account	Title of account
Frieda Rudloff	Bremen, Germany	5542	Frieda Rudloff.
Louise Wagenknecht	Braunschweig, Germany	5543	Louise Wagenknecht.
Sophie Weber	Bremen, Germany	5544	Sophie Weber.
Minna Fiebelkorn	Stettin, Germany	5545	Minna Fiebelkorn.
Emilie Beeskow	Swinemund, Germany	5546	Emilie Beeskow.
Erich Otto Braatz	Stettin, Germany	5547	Erich Otto Braatz.
Ernst Braatz	do.	5548	Ernst Braatz.
Franz Braatz	do.	5549	Franz Braatz.
Rudolph Braatz	do.	5549	Rudolph Braatz.

[F. R. Doc. 48-10447; Filed, Nov. 30, 1948; 8:49 a. m.]

[Vesting Order 12353]

RICHARD BEST

In re: Trusts under the will of Richard Best, deceased. File No. F-28-7285-G-1, Docket No. 2328.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kathi Best, Caroline Rudolph, Josephine Zorn, and Elise Holz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the trusts created under the will

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Frieda Rudloff, Louise Wagenknecht, Sophie Weber, Minna Fiebelkorn, Emilie Beeskow, Erich Otto Braatz, Ernst Braatz, Franz Braatz and Rudolph Braatz, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

of Richard Best, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country, (Germany),

3. That such property is in the process of administration by Morris Blau and Frederick W Best, as trustees, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having

been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10448; Filed, Nov. 30, 1948;
8:49 a. m.]

[Vesting Order 12376]

H. F. BUSSE

In re: Bank account owned by H. F. Busse. F-28-8503-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That H. F. Busse, whose last known address is 169 Escheda Postrasse—Kreis Celle Provinz, Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to H. F. Busse, by Northwestern National Bank of Minneapolis, 620 Marquette Avenue, Minneapolis, Minnesota, arising out of a savings account, account number A-17419, entitled H. F. Busse, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

No. 233—3

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10449; Filed, Nov. 30, 1948;
8:49 a. m.]

[Vesting Order 12378]

WILHELMINA GEERS

In re: Bank account owned by Wilhelmina Geers. F-28-29205-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelmina Geers, whose last known address is 23 Furstenau Krs., Bersenbruck, Province Hanover, British Zone, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of The National City Bank of Cleveland, Cleveland, Ohio, arising out of a Savings account, account number 112678, entitled Catholic Knights of Ohio, Special Account, maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wilhelmina Geers, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10450; Filed, Nov. 30, 1948;
8:50 a. m.]

[Vesting Order 12333]

MATSUO SHIGETA

In re: Cash owned by Matsuo Shigeta. F-39-6236.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Matsuo Shigeta, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: Cash in the sum of \$741.47, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158315, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Matsuo Shigeta, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10451; Filed, Nov. 30, 1948;
8:50 a. m.]

[Vesting Order 12332]

ROSINE WILHELMINE MEIER

In re: Real property, property insurance policies and claim owned by Rosine Wilhelmine Meier, also known as Rosina Wilhelmine Meier, and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

NOTICES

1. That the persons whose names and last known addresses appear below are residents of Germany and nationals of a designated enemy country (Germany);

Names and Last Known Addresses

Rosine Wilhelmine Meier, also known as Rosina Wilhelmine Meier, Reutlingen, Weingartnerstrasse 15, Germany; Johann Friedrich Reiff, Unterhausen bei Reutlingen, Rathausstrasse 7, Germany; Katharina Wilhelmine Gawlick, also known as Minna Gavlik, Zhorzov, Oberschlesien, Post Almoco 7, Germany; Johann Paul Fischer, Unterhausen bei Reutlingen, Wilhelmstrasse 38, Germany; Wilhelm Fischer, also known as William Fischer, Unterhausen bei Reutlingen, Wilhelmstrasse 32, Germany; Erwin Fischer, Pfullingen bei Reutlingen, Klosterstrasse 25, Germany.

2. That the property described as follows:

a. Real property, situated in the City of Hamilton, County of Butler, State of Ohio, particularly described as Lot number forty-eight hundred and fifty (4850) as said lot is known and designated in the Fifth Ward (formerly Fourth Ward) of the City of Hamilton, Butler County, Ohio, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of the persons named in subparagraph 1 hereof in and to the following property insurance policies:

1. Fire and Comprehensive Insurance Policy No. B111, in the amount of \$2,300.00, issued by Northwestern National Insurance Company of Milwaukee, Wisconsin, East Wisconsin Avenue and North Jackson Street, Milwaukee, Wisconsin, which policy expired August 22, 1948 and insured the real property described in subparagraph 2-a hereof together with any and all extensions or renewals thereof,

2. Fire and Comprehensive Insurance Policy No. OC50815, in the amount of \$1,100.00, issued by Fidelity-Phenix Fire Insurance Company, 80 Maiden Lane, New York, New York, which policy expires August 28, 1950 and insures the real property described in subparagraph 2-a hereof, and

c. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof by Helena Reiff Thompson, 1651 Edison Avenue, Hamilton, Ohio, arising out of rentals collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on November 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-10452; Filed, Nov. 30, 1948; 8:50 a. m.]

[Vesting Order 12393]

EMIL PARG

In re: Interest in real property and a claim owned by Emil Parg.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emil Parg, whose last known address is (13a) Selbitz, Oberfranken, Frankenwaldstrasse, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: a. An undivided one-half interest in real property situated in the City of Maplewood, County of St. Louis, State of Missouri, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt or other obligation, owing to Emil Parg by Maria Parg, 3123 Walter Avenue, Maplewood, Missouri, arising out of his share of the rentals collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

dence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it is being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All that certain tract or parcel of land situated in the County of St. Louis, State of Missouri, described as follows:

1. Lot Fifteen (15) and the South Eight (8) feet of Lot Sixteen (16) in Block One (1) of Shields Subdivision of Lot 9 of the James C. Sutton Estate, in U. S. Survey 2037, Township 45 North, Range 6 East, in St. Louis County, Missouri, as per plat thereof recorded in Plat Book 4 page 20 of the St. Louis County Records.

2. Commencing at a point in the west line of Walter Avenue twenty-five feet (25') south of the northeast corner of lot 17 block 1 Shields Subdivision of part of lot 9 of James C. Sutton's Estate in Survey 2037, thence westwardly and parallel with the north line of lots 17 and 4, a distance of 138 feet to a point 6 feet 10 1/4 inches west of the west line of lot 17 and 25 feet south of the north line of lot 4, thence southwardly and parallel to the west line of lots 16 and 17 a distance of 67 feet to a point in lot 5 being 42 feet south of the north line of lot 5 and 6 feet 10 1/4 inches west of the east line of lot 5; thence eastwardly and parallel to the north line of lot 16 a distance of 138 feet to a point in the west line of Walter Avenue, 42 feet south of the northeast corner of lot 16, thence along the west line of Walter Avenue northwardly 67 feet along lots 16 and 17 to the point of beginning. Being part of James C. Sutton's Estate, U. S. Survey 2037, Township 45 north Range 6 East, St. Louis County, Missouri.

[F. R. Doc. 48-10453; Filed, Nov. 30, 1948; 8:50 a. m.]

[Vesting Order 12333]

FRAU HILDA GRAFIN BISMARCK-OSTEN

In re: Bonds owned by Frau Hilda Grafen Bismarck-Osten and others. F-28-23755-D-1, D-2; F-28-23756-D-1, D-2; F-28-23757-D-1, D-2; F-28-23758-D-1, D-2; F-28-23759-D-1, D-2; F-28-23760-D-1, F-28-23762-D-1, D-2; F-28-3231-D-2, D-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are listed below:

Name and Address.

Frau Hilda Grafen Bismarck-Osten, Schloss Plathe 1-Pommern Kr. Regenwalde, Germany.

Herbert Eiden, Hamburg 11, Adolfsbrücke 9-11, Germany.

Marie Theresa V. Krosigk, Marlen Strasse 78, Sondershausen, Germany.

Curt Freiherr von der Osten-Sacken, Brandenburgische Strasse 42, Berlin-Wilmersdorf, Germany.

Freifrau Elsa von Ruxleben, Schloss Rottleben A-Kyffh, Germany.

Alix Freifrau Schenk Zu Schweinsberg, Fronhausen-Lahn, Bezirk Kassel, Germany.

Gunthram Freiherr Schenk Zu Schweinsberg, Fronhausen-Lahn, Bezirk Kassel, Germany.

Hans Homann, Kaiserdamm 98, Berlin-Charlottenburg, Germany.

Ursula Kohler, also known as Ursula Cluden, Gerichtstr. 3, Bielefeld, Germany.

are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) European Mortgage Series C Corporation 7% Income Bond, of \$1,000 face value, bearing the number M-3271, registered in the name of Frau Hilda Grafen Bismarck-Osten, Schloss Plathe 1-Pommern, Kr. Regenwalde, Germany, and any all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights in, to and under said bond, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Frau Hilda Grafen Bismarck-Osten, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) European Mortgage Series C Corporation 7% Income Bond, of \$500 face value, bearing the number D-261, registered in the name of Herbert Eiden, Hamburg 11, Adolfsbrücke 9-11, Germany, and any all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights in, to and under said bond, including particularly any and all rights

in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Herbert Eiden, the aforesaid national of a designated enemy country (Germany)

4. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) European Mortgage Series C Corporation 7% Income Bonds of \$1,000 face value each, bearing the numbers M-3037 and M-3270, registered in the name of Marie Theresa V. Krosigk, Marlen Strasse 78, Sondershausen, Germany, and any all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Marie Theresa V. Krosigk, the aforesaid national of a designated enemy country (Germany)

5. That the property described as follows: a. These certain debts or other obligations, matured or unmatured, evidenced by six (6) European Mortgage Series C Corporation 7% Income Bonds, registered in the name of Curt Freiherr von der Osten-Sacken, Brandenburgische Strasse 42, Berlin-Wilmersdorf, Germany, numbered and of face value as follows:

Number:	Face value
M-2286	\$1,000
M-2287	1,000
M-2288	1,000
M-2289	1,000
D-189	500
D-190	500

and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William Street, New York 5, New York, and

b. Those certain debts or other obligations, matured or unmatured, evidenced by three (3) European Mortgage Series B Corporation 7½% Income Bonds, of \$1,000 face value each, bearing the numbers M-636, M-637 and M-638, registered in the name of Curt Freiherr von der Osten-Sacken, Brandenburgische Strasse 42, Berlin-Wilmersdorf, Germany, and any all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder

Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Curt Freiherr von der Osten-Sacken, the aforesaid national of a designated enemy country (Germany)

6. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) European Mortgage Series C Corporation 7% Income Bonds, of \$1,000 face value each, bearing the numbers M-3269 and M-3287, registered in the name of Freifrau Elsa von Ruxleben, Schloss Rottleben A-Kyffh, Germany, and any all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Freifrau Elsa von Ruxleben, the aforesaid national of a designated enemy country (Germany)

7. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by five (5) European Mortgage Series C Corporation 7% Income Bonds, of \$1,000 face value each, bearing the numbers M-1647, M-1648, M-1649, M-1650 and M-1651, registered in the names of Alix Freifrau Schenk Zu Schweinsberg and Gunthram Freiherr Schenk Zu Schweinsberg, Jointly, Fronhausen-Lahn, Bezirk Kassel, Germany, and any all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Alix Freifrau Schenk Zu Schweinsberg and Gunthram Freiherr Schenk Zu Schweinsberg, the aforesaid nationals of a designated enemy country (Germany)

8. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) European Mortgage Series B Corporation 7½% Income Bonds, of \$1,000 face value each, bearing the numbers M-765 and M-766, registered in the name of Hans Homann, Kaiserdamm 98, Berlin-Charlottenburg, Germany, and any all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all

rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by Hans Homann, the aforesaid national of a designated enemy country (Germany),

9. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) European Mortgage Series B Corporation 7½% Income Bonds, of \$1,000 face value each, bearing the numbers M-863 and M-864, registered in the name of Ursula Kohler geb. Cluden, Gerichtstr. 3, Bielefeld, Germany, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds, including particularly any and all rights in, to and under any outstanding interest checks or checks in the possession of Schroder Trust Company, 46 William St., New York 5, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Ursula Kohler also known as Ursula Cluden, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

10. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10377; Filed, Nov. 29, 1948; 8:56 a. m.]

[Vesting Order 12360]

EDWIN H. GOETSCH

In re: Trust under the will of Edwin H. Goetsch, deceased. File No. F-28-22822-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Helene Nehs, Paul Grewe, Martha Burow, Annalese Engert, Ingborg Engert, Ernst Engert and Ursula Koerber, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That issue, names unknown, of Bertha Schallock, deceased, of Otto Grewe, deceased, except Frieda Rosenfeld, a resident of the United States, of Minna Burow, deceased, and of William Goetsch, son of Bertha Schallock, name unknown, and children of Marie Grewe, deceased, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Edwin H. Goetsch, deceased, presently being administered by Mississippi Valley Trust Company, 225 N. Broadway, St. Louis, Missouri, and Frederick A. Goetsch, 1901 Walnut Street, Philadelphia, Pennsylvania, as co-trustees, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and issue, names unknown, of Bertha Schallock, deceased, of Otto Grewe, deceased, except Frieda Rosenfeld, a resident of the United States, of Minna Burow, deceased, and of William Goetsch, son of Bertha Schallock, name unknown, and children of Marie Grewe, deceased, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10378; Filed, Nov. 29, 1948; 8:56 a. m.]

[Vesting Order 12394]

MARIA WALKER

In re: Interest in real property owned by Maria Walker, also known as Anna Maria Walker, and as Maria Walker Gass.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Walker, also known as Anna Maria Walker, and as Maria Walker Gass, whose last known address is Jaegerhaus in der Gass, Kirchentellinsfurt, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: An undivided one-half interest in real property, situated in the City of Ann Arbor, County of Washtenaw, State of Michigan, particularly described as Lot number twenty-six (26) of Huron Crest Subdivision, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-10454; Filed, Nov. 30, 1948; 8:50 a. m.]